

following curative and therapeutic effects claimed for it: "Effective as a remedy, treatment, cure, or specific for hog cholera; to prevent hog cholera; as a remedy, treatment, cure, or specific for the disease peculiar to hogs; to prevent diseases of hogs; as a blood purifier or disease eradicator in hogs; as a remedy, treatment, cure, or specific for thumps, diphtheria, scours, catarrh, rheumatism, or apoplexy in hogs"; that the above statements were false and fraudulent.

On March 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7845. Misbranding of Dr. Harper's Anti-Cholera Tonic for Hogs. U. S. * * * v. 184 Packages of Dr. Harper's Anti-Cholera Tonic for Hogs. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11831, 11862, 11863, 11864, 11865, 11866. I. S. Nos. 8753-r, 8739-r. S. Nos. C-1651, C-1592.)

On January 9, 1920, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 184 packages of Dr. Harper's Anti-Cholera Tonic for Hogs, 48 of which packages remained unsold in the original unbroken packages at Salina, Okla., 24 at Porter, Okla., 12 at Mazie, Okla., 54 at Locust Grove, Okla., 24 at Big Cabin, Okla., and 22 at Adair, Okla., alleging that the article had been shipped by the Elite Chemical Co., Watertown, Tenn., on May 29, 1919, and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of sodium bicarbonate and sulphate, sulphur, iron oxid, and vegetable material, including fragments of seeds and hulls.

Misbranding of the article was alleged in substance in the libel for the reason that the cartons and circulars inside the cartons bore and contained statements regarding the curative and therapeutic effects of said drug article and of the ingredients and substances contained therein which were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the following curative and therapeutic effects claimed for it on the carton, circular, and shipping case, reading as follows, to wit, (carton) "Dr. Harper's Anti-Cholera Tonic for Hogs. Given to Prevent Diseases of Swine * * * For Worms * * * 'How to Prevent Hog Cholera.' * * *," (circular) "How to Prevent Cholera * * * About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera * * * in most cases acts as preventive to disease. * * * Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease. * * *," (shipping case) "Dr. Harper's Hog and Poultry Remedies Cure or Money Back."

On March 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*